

United States District Court

SOUTHERN

DISTRICT OF
McALLEN DIVISION

TEXAS

UNITED STATES OF AMERICA

V.

Tania Abigail Hernandez

YOB:

PRINCIPAL
1988

United States Citizen

United States District Court
Southern District of Texas
FILED

NOV 13 2015

CRIMINAL COMPLAINT

Case Number:

M-15- 1978 -M

Clerk of Court

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about November 11, 2015 in Hidalgo County, in the Southern District of Texas defendants(s) did,
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact Miguel Angel Senovio-Santos, a national of the United Mexican States, and Rafael Ovidio Valle-Castillo, a national of El Salvador, along with three (3) other undocumented aliens, for a total of five (5), who had entered the United States in violation of law, did knowingly transport, or move or attempt to transport said aliens in furtherance of such violation of law with in the United States, that is, from a location near San Manuel, Texas to the point of arrest near San Manuel, Texas,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONY
I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On November 11, 2015, Border Patrol T. Crawford was assigned to Highway Patrol Duties, working near San Manuel, Texas. At Approximately 12:15 PM, Agent Crawford observed a black Ford Fusion driving northbound on Highway 281. Agent Crawford also noticed the Ford Fusion riding very low to the ground as it passed by his position on US Highway 281. Agent observed at this time that the vehicle was driven by a female. Recently, there has been an increase on arrest of female drivers transporting illegal aliens on Highway US 281. Highway US 281 is commonly used by smugglers as one of the main routes to smuggle illegal aliens and narcotics. Due to these facts, Agent Crawford then pulled out of his position and began following the vehicle as it was traveling northbound. As the agent followed the vehicle, the agent noticed the sedan bouncing as if the suspension had a lot of weight more than a normal sedan of that size should have, which is consistent with alien smuggling vehicles. Also at this time, the agent noticed that there were multiple subjects sitting in the back seat of the vehicle who appeared to be moving around or shifting in an unusual fashion. At this time, Agent Crawford contacted Radio dispatch to run a license plate query on the vehicle. The vehicle came back registered to YOLANDA BALDERAS DE MENDOZA from Hidalgo, TX.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

approved by
N87 [Signature]

[Signature]
Signature of Complainant

Sworn to before me and subscribed in my presence,

November 13, 2015

Date

Belma De Leon Senior Patrol Agent

Printed Name of Complainant

at McAllen, Texas

City and State

Dorina Ramos

U. S. Magistrate Judge

Name and Title of Judicial Officer

[Signature]
Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-15- 1478 -M

RE: Tania Abigail Hernandez

A028 967 064

CONTINUATION:

Agent Crawford then began to pull alongside the vehicle to further observe all the occupants of the vehicle. As the agent pulled up alongside the vehicle, he observed the female driver glance at his direction and with a startled look quickly turned away and became rigid. Based on the Agent's Crawford experience working Highway Patrol duties, this is an indicative of illegal alien smuggling activities. Agent Crawford also noticed the front female passenger sitting in a rigid manner and facing forward as to avoid eye contact. At that moment, the driver of the Ford Fusion slowed down approximately ten miles per hour under the posted speed limit of 75 miles per hour. Agent Crawford then slowed his Border Patrol vehicle down and pulled in behind the Ford Fusion. At this time, the agent noticed that there appeared to be less subjects sitting in the rear seat of the vehicle. Due to the suspicious actions of the driver and that there could possibly be persons trying to conceal themselves in the vehicle, Agent Crawford decided to activate the emergency equipment on his service unit to perform a vehicle stop and conduct an Immigration Inspection on all vehicle occupants.

After the vehicle came to a complete stop, Agent Crawford approached the vehicle on the passenger side to conduct his inspection. As the agent was approaching the front passenger window, he noticed two subjects laying down on the floor board of the back seat trying to conceal themselves. At this time, Agent Crawford identified himself as a Border Patrol Agent and asked the driver what her citizenship was. She responded that she was a United States citizen and was later identified as Tania Abigail HERNANDEZ. The agent then asked the driver where she was headed and HERNANDEZ immediately responded that she was supposed to go somewhere in San Manuel, Texas to drop off the people in her vehicle. The agent asked HERNANDEZ if she knew the people in her vehicle; HERNANDEZ responded that she didn't know them and that somebody was supposed to call her with instructions for the drop off.

At this time, other Border Patrol Agents arrived on scene and provided assistance. Agent Crawford then asked HERNANDEZ to step out of the vehicle while other agents interviewed the remaining of the subjects as to their immigration status in the United States. All the passengers of the vehicle freely admitted to being in the county illegally. HERNANDEZ was placed under arrest for transporting illegal aliens. HERNANDEZ was read her Miranda rights by Agents Crawford and Croy. All subjects were placed under arrest and transported to the Weslaco Border Patrol Station for processing.

PRINCIPAL STATEMENT:

At the Weslaco Border Patrol Station, Tania Abigail HERNANDEZ was read her rights and agreed to provide a statement without an attorney present.

HERNANDEZ stated that she received a phone call from an unknown subject. HERNANDEZ explained that her friend Alex provided HERNANDEZ' phone number to the unknown subject. The unknown subject asked HERNANDEZ to meet with him at a Wall-Wart located in Edinburg, Texas. HERNANDEZ stated that she had an idea that the unknown man was going to offer her a job to transport illegal aliens because he had offered her a job to transport illegal aliens the previous week but HERNANDEZ was not able to do it. HERNANDEZ indicated that she was going to be paid \$200 per illegal alien for that job but she did not take it that time.

**UNITED STATES DISTRICT COURT
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CONTINUATION:

HERNANDEZ stated she met with the unknown man at the Wall-Mart parking lot. HERNANDEZ also stated that the unknown man had several people in his vehicle and that he asked HERNANDEZ if she wanted to drive them to San Manuel, Texas. HERNANDEZ also stated that she knew that the people were illegal aliens and she agreed to do it. The unknown man then told the illegal aliens to get in HERNANDEZ' car and even told the male aliens to seat in the back seat and the female alien to seat in the front passenger seat. HERNANDEZ claimed that the unknown male would call her once she was north to give her instructions regarding where to drop the subjects off.

NOTE: Driver Tania Abigail HERNANDEZ has been stopped transporting illegal aliens on several occasions in the past:

Arrest Date: 2011-08-11

Arresting Agency: Falfurrias Border Patrol Station

Charge: TRANSPORTING ALIENS (1 on 2)

Disposition: Administrative Case for not meeting guidelines.

Event # FLF11080128

Arrest Date: 2011-08-14

Arresting Agency: Falfurrias Border Patrol Station

Charge: TRANSPORTING ALIENS (1 on 2)

Disposition: Administrative Case for not meeting guidelines.

Event # FLF11080159

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
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M-15- 1978 -M

RE: Tania Abigail Hernandez

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CONTINUATION:

MATERIAL WITNESS #1:

Miguel Angel SONOVIO-Santos was read his Miranda rights and he was willing to give a sworn statement without the presence of an attorney.

Miguel Angel SONOVIO-Santos a citizen of Mexico, stated that his cousin made arrangements to be smuggled into the U.S. for a fee of \$5,000. SONOVIO stated that he was smuggled into the U.S from Reynosa, Tamaulipas, Mexico and subsequently taken to a stash house. SONOVIO stated that on today's date, a man took him and other four aliens to a parking lot where he was transferred to a black car driven by a woman. The female driver of the black car was identified as Tania Abigail HERNANDEZ through a photo lineup. SONOVIO further stated that HERNANDEZ told them to get into the back seat of the car and would occasionally turn around and talk to them.

MATERIAL WITNESS #2:

Rafael Ovidio VALLE-Castillo was read his Miranda rights and was willing to give a sworn statement without the presence of an attorney.

Rafael Ovidio VALLE-Castillo a citizen of El Salvador, stated that his father made arrangements in El Salvador to have him smuggled to the U.S. His father paid \$4,000 smuggling fee to have him smuggled to Houston, Texas. VALLE stated that he was smuggled across the Rio Grand River in a raft on November 9, 2015. VALLE also stated that after he crossed illegally, he was harbored at a stash house. VALLE continued by stating that on today's date. The caretaker of the stash house told them to get ready to leave because they were going to walk around the Border Patrol Checkpoint. Shortly after, VALLE and the other illegal aliens were transported to the Wall-Mart parking lot and transferred to a black car driven by a female. VALLE further stated that the female driver was supposed to drop them off south of the checkpoint to walk around it. Rafael Ovidio VALLE-Castillo identified Tania Abigail HERNANDEZ through a photo lineup as the driver of the black vehicle.